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TROP, PRUNER & HU, P.C.
1616 S. VOSS ROAD, SUITE 750
HOUSTON, TX 77057-2631

In re Application of:
Eric C. Hannah et al.
Application No. 09/690,512
Filed: October 17, 2000
For: ENSURING THAT ADVERTISEMENTS
ARE PLAYED

**DECISION ON PETITION
FILED UNDER
37 CFR 1.181**

This is in response to the petition under 37 CFR 1.181 received September 2, 2009.

Petitioner questions whether or not the Examiner can re-raise a non-prior art issue after one, much less two, reversals by the Board of Appeals.

The prosecution file indicates that a Notice of Allowability and a Notice of Allowance and Fee(s) Due were mailed February 18, 2010. In the Reasons for Allowance included with the Notice of Allowability, the Examiner finds appellant's arguments to be persuasive. Accordingly the claims are allowed based on the Board's decision in conjunction with appellant's response.

Accordingly, the petition is **DISMISSED AS MOOT**.

Any inquiries regarding this decision should be directed to Teri P. Luu, Quality Assurance Specialist, at (571) 272-7045


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WG/tl: 2/19/10

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